

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

POWER-ONE, INC.,

Plaintiff,

v.

ARTESYN TECHNOLOGIES, INC.,

Defendant.

CIVIL ACTION NO. 2:05-CV-463 (JDL)

JURY

**POWER-ONE'S MOTION FOR JUDGMENT AS A MATTER OF LAW THAT
ARTESYN FAILED TO PROVE THAT THE '916 AND '798 PATENTS ARE INVALID**

Should the Court grant Artesyn's Motion for Judgment as a Matter of Law of No Infringement of the '798 and '916 Patents (D/E 287) over Power-One's objection, Power-One moves this Court to enter judgment as a matter of law that Artesyn failed to prove that U.S. Patent Nos. 7,049,798 and 6,949,916 are invalid over the prior art of record or on the basis of a lack of written description, enablement, or best mode. In support of its motion, Power-One incorporates by reference its Opposition to Artesyn's Motion for Judgment as a Matter of Law of No Infringement of the '798 and '916 Patents (D/E 401).

Dated: December 22, 2007

Respectfully submitted,

By: /s/ E. Glenn Thames, Jr.

E. Glenn Thames, Jr.

State Bar No. 00785097

glennthames@potterminton.com

Michael E. Jones

State Bar No. 10929400

Mikejones@potterminton.com

POTTER MINTON

A Professional Corporation

500 Plaza Tower

110 North College Avenue

Tyler, TX 75702

(903) 597-8311 (Telephone)

(903) 593-0846 (Facsimile)

Alan D. Smith, BBO#629034

Steven R. Katz, BBO#642732

Whitney A. Fellberg, BBO#663599

Matthew J. Leary, BBO#666074

FISH & RICHARDSON P.C.

225 Franklin Street

Boston, MA 02110-2804

617-542-5070 (Telephone)

617-542-8906 (Facsimile)

Thomas M. Melsheimer

State Bar No. 13922550

M. Brett Johnson

State Bar No. 00790975

FISH & RICHARDSON P.C.

1717 Main Street, Suite 5000

Dallas, TX 75201

214-747-5070 (Telephone)

214-747-2091 (Facsimile)

Counsel for Plaintiff

POWER-ONE, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on December 22, 2007 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by first class mail.

/s/ E. Glenn Thames, Jr. _____

E. Glenn Thames, Jr.

21812262.doc